



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

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JUL 16 2015

REPLY TO THE ATTENTION OF:

E-19J

Marisol R. Simon
Regional Administrator
Federal Transit Administration
200 West Adams Street, Suite 320
Chicago, Illinois 60606

Mark Fuhrmann
Program Director, Rail New Starts
Metropolitan Council
390 Roberts Street North
St. Paul, Minnesota 55101-1805

Re: Supplemental Draft Environmental Impact Statement – Southwest Green Line Light Rail
Transit (LRT) Extension (SWLRT), Hennepin County, Minnesota CEQ # 20150132

Dear Ms. Simon and Mr. Fuhrmann:

The U.S. Environmental Protection Agency (EPA) has reviewed the Federal Transit Administration's (FTA) May 2015, Supplemental Draft Environmental Impact Statement (SDEIS) for the Metropolitan Council's (Council) Southwest Green Line Light Rail Transit (LRT) Extension (SWLRT) Project. Our comments are provided pursuant the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The limited-scope SDEIS evaluates the environmental effects associated with adjustments the Council made to the locally preferred alternative (LPA) since the 2012 Draft EIS (DEIS). It updates the DEIS to reflect the design adjustments to the LPA in two specific geographic areas: 1) the Eden Prairie Segment and 2) the St. Louis Park/Minneapolis Segment, and the identification of the location of a proposed Operation and Maintenance Facility (OMF) in Hopkins. The SDEIS includes a description of the process and analyses used to identify adjustments to the LPA for those three topics and includes additional preliminary Section 4(F) *de minimis* impact findings not included in the DEIS.

EPA reviewed the 2012 DEIS and provided comments to FTA on December 27, 2012. We rated the DEIS as Environmental Concerns – Insufficient Information (EC-2) (See attached "Summary of EPA Rating Definitions and Follow-Up Actions"). Our comments and primary recommendations were to clarify the project purpose and need, and adequately analyze

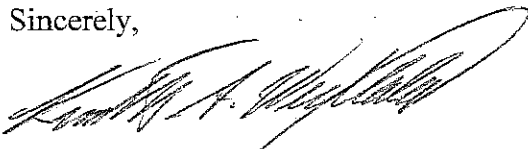
alternative impacts related to the OMF, aquatic resources, water quality, neighborhoods with environmental justice concerns, air quality, and noise. We also recommended undertaking an evaluation of a possible modification to DEIS Alternative LRT-3 to avoid impacts to a major wetland area. Since the SDEIS is limited in scope, the SDEIS discloses that substantive comments FTA received during the DEIS public comment period will be addressed in the Final EIS (FEIS) and not this SDEIS (page ES-24).

Based on our review of the SDEIS, EPA rates the SDEIS as Environmental Concerns – Insufficient Information (EC-2). EPA's detailed comments on the DEIS still apply and we remain particularly concerned with potential impacts to aquatic resources, water quality and associated mitigation. See the enclosure for EPA's detailed comments regarding the SDEIS.

According to the SDEIS (page i), FTA will issue a single FEIS and Record of Decision (ROD) document. EPA recommends FTA convene a meeting of cooperating and participating resources agencies to present and discuss FTA's proposed draft written responses to SDEIS and DEIS comments prior to FTA issuing the combined FEIS/Record of Decision (ROD). This will allow the resources agencies opportunity to react to the proposed responses to the agencies' SDEIS and DEIS comments, and for revisions to be made (if appropriate) prior to release of the FEIS/ROD.

Virginia Laszewski of my staff is EPA's lead NEPA reviewer for this project. She may be reached by calling 312/886-7501 or by email at laszewski.virginia@epa.gov. EPA requests at least a two-week advance notice prior to our receipt of project materials for review and/or prior to project meetings/conference calls. We also request one hard copy and 3 DVDs of the FEIS/ROD, when it is available.

Sincerely,



Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Enforcement and Compliance Assurance

Enclosures (2): 1) EPA Comments - FTA SWLRT SDEIS, and 2) "Summary of Rating Definitions and Follow-Up Actions."

Cc (email):

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**EPA Comments - Federal Transit Administration (FTA) May 2015 Supplemental Draft
Environmental Impact Statement (SDEIS) – Southwest Green Line LRT Extension,
Hennepin County, Minnesota
(CEQ # 20150132)**

BACKGROUND

The Federal Transit Administration's (FTA) 2012 Draft Environmental Impact Statement (DEIS) presented the transportation and environmental impacts associated with the construction and operation of an approximately 16-mile Southwest Light Rail Transit (LRT) (METRO Green Line Extension) project as an extension of the METRO Green Line (Central Corridor LRT). The Southwest LRT (SWLRT) would operate from downtown Minneapolis through the communities of St. Louis Park, Hopkins, Minnetonka, and Eden Prairie, passing in close proximity to Edina. The DEIS identified a Locally Preferred Alternative (LPA). The DEIS LPA encompassed DEIS Alternative 3A (relocate freight line) and Alternative 3A-1 (co-locate SWLRT along existing freight line corridor). Since the 2012 DEIS, the Metropolitan Council (Council) has made design adjustments and modifications to the LPA.

The limited-scope Supplemental DEIS (SDEIS) updates the DEIS to identify and evaluate the environmental effects to reflect the Council's revised LPA adjustments in three specific areas:

1. Eden Prairie Segment

Adjustments were made to the light rail alignment, stations, and park-and-ride lots in the Eden Prairie Segment with related bus, roadway, and bicycle/pedestrian improvements. This includes but is not limited to:

- The western terminus station (Mitchell Station) would be located on the south side of Technology Drive, west of Mitchell Road, instead of immediately south of highway 212 as identified in the DEIS.

2. Location of the Operation and Maintenance Facility

- A 15-acres site in Hopkins is proposed for the OMF (Hopkins OMF 9A). The Hopkins OMF site would be located 1,000 feet south of the proposed Shady Oak Station within an existing office/warehouse and light manufacturing development. The Hopkins site was not evaluated in the 2012 DEIS.

3. St. Louis Park/Minneapolis Segment

Adjustments were made to the light rail alignment, stations, and park-and-ride lots within the St. Louis Park/Minneapolis Segment with related bus, roadway and bicycle/pedestrian improvements, and freight rail modifications. This includes but is not limited to:

- Co-location of the light rail in this segment, retaining existing Twin Cities and Western (TC&W) freight rail service in the Kenilworth Corridor, with some modification to freight rail tracks to accommodate the light rail.
- Placement of the proposed light rail alignment in a shallow tunnel in the Kenilworth

Corridor generally between West Lake Street and the Kenilworth Lagoon (a constructed waterway that connects Lake of the Isles and Cedar Lake). The light rail alignment would rise back to grade to cross the lagoon on a new bridge and would continue at-grade throughout the remaining eastern portion of the Kenilworth Corridor.

WETLANDS

- USACE correspondence dated October 16, 2014 (SDEIS Appendix E) indicates that impacts to Waters of the United States associated with the LPA have risen from approximately 8.7 acres, identified as of April 2014, to approximately 18.5 acres, as a result of wetland delineations and further project development. Thoughtful project design and consideration of staging areas and access will likely allow for smaller permanent wetland impacts or fewer temporary wetland impacts.

Recommendations: EPA hereby reiterates our comments on avoiding and minimizing wetland impacts, as discussed in our DEIS comment letter dated December 27, 2012. Additionally, many of the wetland impacts appear to be due to installation of pedestrian/sidewalk areas (as shown in Appendix G Conceptual Engineering Drawings). FTA and MnDOT should determine if alternatives to fill, such as elevated pedestrian boardwalks, are feasible to be used in delineated wetland areas. Reduction of fill by use of elevated boardwalks or, removal or relocation of proposed sidewalks in wetland areas, could or will significantly reduce impacts and related wetland mitigation requirements under Section 404 Clean Water Act Section 404 permitting requirements. Alternatives to fill, particularly in these areas, should be discussed in the FEIS.

- A number of Traction Power Substations (TPSSs) will be required to supply electrical power to the traction networks and passenger rail stations. They will need to be sited at approximately one-mile intervals along the final route. Page 3-46 of the SDEIS states, *"In addition to the light rail related improvements described above, the LPA will also include TPSS facilities. The specific locations for TPSSs have not been defined; however, siting of these facilities will be determined by utilizing fully developed areas, including surface parking lots, existing roadway right-of-way, and vacant parcels where feasible."* However, specific (though general) overall locations of TPSS facilities were shown in Appendix G Conceptual Engineering Drawings. The SDEIS does not analyze or discuss detailed potential wetland impacts associated with these TPSS locations, nor are such impacts reflected in the wetland impact figures (Exhibit 3.2-5; Exhibit 3.3-2; and Exhibit 3.4-5).

Recommendation: Review of Appendix G drawings shows potential wetland impacts due to siting of TPSS stations. TPSS stations should be sited in upland (non-wetland) locations. As there is some flexibility in siting of TPSS stations, thoughtful design and planning may further reduce wetland impacts. Examples include, but are not limited to:

- TPSS SW-21 (Eden Prairie Segment) includes a circled area on the north side of Technology Drive, which appears to be wetland. This area does not appear to have been included as a delineated wetland but may be in the vicinity of Wetland EP-02. Approximate location: 44.857997, -93.464456.

- TPSS SW-20 (Eden Prairie Segment) includes a circled area on the north side of Technology Drive, which appears to be wetland. This may have been delineated as the wetland north of Wetland EP-12. Approximate location: 44.858280, -93.456599.
- The SDEIS stated that the Hopkins Operations & Maintenance Facility (OMF) has been selected as the LPA. The Hopkins OMF currently has mixed industrial land uses, though construction would require approximately a total of 0.68 acre of wetland fill (three separate fill locations) to Wetland NM-HOP-13, a 2.67-acre wetland.

Recommendation: While EPA commends the use of an existing industrial site for the OMF, wetland impacts may be able to be further minimized during final site design. EPA recommends that further wetland impact minimization at this location be investigated.

- The SDEIS clarifies that the LPA, LRT 3A-1, involves freight co-location¹ instead of freight rail relocation in the St. Louis Park/Minneapolis Segment. Wetland impacts associated with the St. Louis Park/Minneapolis Segment are estimated to be approximately 0.5 acres. The SDEIS was not clear as to whether or not this 0.5 acre impact estimate includes wetland impacts associated with the 45-foot relocation of the freight rail. Specifically, the SDEIS was unclear if the areas to which the freight rail will be moved have been delineated, and if wetland impacts associated with that relocation of the freight rail have been included in wetland impact totals. Additionally, the SDEIS was unclear if the areas to which the Cedar Lake LRT trail will be moved have been delineated, and if wetland impacts associated with that trail relocation have been included in wetland impact totals.

Recommendation: In the FEIS, please provide clarification on whether or not the new freight rail and trail corridors have been delineated. If not, a delineation should be performed and any additional wetland impacts added to impact summary tables. Updated information should be provided in the FEIS.

STORMWATER AND CONSTRUCTION STAGING

- Page 3-65 of the SDEIS states, "*The project would construct additional stormwater facilities as needed, and construction would be coordinated with the local jurisdictions to connect the new facilities to existing stormwater management facilities.*" There was no discussion of implementation of permanent best management practices (BMPs), to include detention and infiltration facilities to control and treat stormwater runoff caused by an increase in impervious surfaces as a result of project implementation. The SDEIS did not discuss any green BMPs to control stormwater, including the use of pervious pavement at park and ride

¹ Design adjustments to 3A-1 would generally place the proposed light rail alignment and stations within the current freight rail right-of-way, and the freight rail alignment would be moved approximately 45 feet north onto right-of-way currently owned by the Hennepin County Regional Railroad Authority (HCRRA) (purchased as future light rail right-of-way and where light rail would have been under the conceptual design of LRT 3A and LRT 3A-1 within Draft EIS). In addition, the Cedar Lake LRT Trail, which is a permitted temporary use within the HCRRA-owned right-of-way north of the existing freight rail alignment, would be reconstructed further north within that same right-of-way, staying north of the repositioned freight rail alignment.

areas. Most importantly, the SDEIS did not confirm that stormwater detention basins will not be built in any wetland areas.

Recommendations: All stormwater BMPs and detention areas should be built and located outside of natural wetlands and streams. Existing natural wetlands should not be used as primary detention facilities, and any treated stormwater discharged to natural wetlands should not cause a change of existing use of the wetland (e.g., should not change an emergent wetland to an open water wetland, etc.) Green stormwater technologies, including the use of pervious or porous pavement, should be utilized throughout the project where feasible. The FEIS should include figures and project plans detailing stormwater basin locations, and ensure that no stormwater/sediment/erosion control measures are proposed to be constructed in wetlands or other Waters of the U.S. This should be clearly stated and supported in all figures provided with the Final EIS.

- The SDEIS did not discuss any construction access or staging areas that may be required to implement the LPA.

Recommendations: The FEIS should include proposed construction measures, including a discussion of staging areas and their locations, access to the worksite(s), and detailed discussion on any proposed in-stream construction. EPA recommends that equipment not work actively from within any stream, and that dewatering measures such as temporary portable dams or cofferdams be installed to isolate stream flow from any active work areas. Temporary impacts to wetlands and other Waters of the U.S. should be first avoided, then minimized. Any unavoidable temporary impacts to wetlands and other Waters of the U.S. should be included in the calculation of impacts and mitigation.

WELL HEAD PROTECTION - DRINKING WATER SUPPLY

The SDEIS (page 3-59) states: *"The west end of the Eden Prairie Segment, including the area around the Mitchell Station, is located within the Wellhead Protection Area, and the remainder of the segment is located in the Drinking Water Supply Management Area. In advance of construction, the Council will coordinate with the City of Eden Prairie to insure that the construction and operation of the LPA meets the provisions of the Wellhead Protection Plan (WHPP)."*

Recommendation: We recommend the FEIS disclose how construction and operation of the LPA could meet the provisions of the WHPP.

ACRONYMS AND ABBREVIATIONS

Recommendation: Include TPSS (Traction Power Substation) in *Acronyms and Abbreviations* (pages xvii – xix).